

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ROSELYN BRASWELL,** )  
 )  
**Plaintiff(s),** )  
 )  
**v.** ) **CIVIL ACTION NO.:**  
 ) **2:21-CV-25-ECM-KFP**  
 )  
**BOW PLUMBING GROUP, INC., a** )  
**Canadian Corporation;** )  
 )  
**Defendant(s).** )

## **DEFENDANT'S OBJECTIONS TO PLAINTIFF'S EXPERT DISCLOSURES**

COMES NOW Defendant Bow Plumbing Group Inc. (“Defendant”) and submits the following in response to Plaintiff’s initial Class Expert Disclosures:

1. On June 9, 2022, the Parties submitted a Joint Motion to Extend Deadlines. (Doc. 43). In the Motion, the Parties requested that the Court extend the dates and deadlines in the then-operative Scheduling Orders. (Docs. 28 and 31). However, the Parties disagreed on the amount of time for the extension. (Doc. 43).

2. On June 10, 2022, in response to the Parties' Joint Motion, the Court set the case for a Status and Scheduling Conference on June 16, 2022. (Doc. 44).

3. Under the then-operative Scheduling Orders, Plaintiff's Class Expert Disclosure deadline was June 14, 2022. (Docs. 28 and 31). Accordingly, on June 14, 2022, Plaintiff's counsel served Defendant's counsel with initial Class Expert Disclosures. Plaintiff's counsel stated that they were submitting these Disclosures out of an abundance of caution due to the timing of Plaintiff's then-existing deadline and the upcoming Status and Scheduling Conference. Plaintiff's counsel also stated that Plaintiff will supplement these Disclosures as discovery progresses.

4. The Parties participated in the Status and Scheduling Conference on June 16, 2022, and on June 17, 2022, the Court entered a revised Scheduling Order. (Doc. 47). As the Parties agreed at the Status and Scheduling Conference, the revised Scheduling Order extended Plaintiff's Class Expert Disclosure deadline from June 14, 2022 to August 15, 2022. (Doc. 47).

5. Both the previous Scheduling Order (Doc. 28) and the now-operative Scheduling Order (Doc. 47) require a party to file any objections to Expert Disclosures within fourteen (14) days of receipt. Otherwise, "the disclosure shall be deemed to be in full compliance with the Rule." (Docs. 28 and 47).

6. Defendant understands that Plaintiff submitted initial Class Expert Disclosures to avoid waiving any rights before the Court officially extended Plaintiff's Class Expert Disclosure deadline. Defendant also understands that Plaintiff intends to supplement her Class Expert Disclosures pursuant to her new

(August 15, 2022) deadline, and Plaintiff will likely provide additional information required by Rule 26 in her supplemented Class Expert Disclosures. Defendant does not have any objection to this supplementation or Plaintiff's new deadline.

7. However, in accordance with the Court's Scheduling Orders, and to avoid waiving Defendant's right to object to Plaintiff's initial Class Expert Disclosures and/or forthcoming supplemented Class Expert Disclosures, Defendant hereby objects to the Expert Disclosures Plaintiff's counsel served on Defendant's counsel on June 14, 2022 on the grounds that they did not contain a report for either disclosed expert as required by Rule 26(a)(2)(B). Defendant expressly reserves the right to make new and/or additional objections to any supplemented Expert Disclosures Plaintiff provides under the new (August 15, 2022) deadline.

Respectfully submitted this the 28th day of June, 2022.

/s/ Angel A. Croes  
GLENN E. IRELAND (ASB-4158-E51G)  
ANGEL A. CROES (ASB-6785-E49D)  
HANNAH R. DELLASALA (ASB-1406-Q44G)  
Attorneys for Defendant

**OF COUNSEL:**  
**CARR ALLISON**  
100 Vestavia Parkway  
Birmingham, Alabama 35216  
Telephone: (205) 822-2006  
Facsimile: (205) 822-2057  
Email: [cireland@carrallison.com](mailto:cireland@carrallison.com)  
[acroes@carrallison.com](mailto:acroes@carrallison.com)  
[hdellasala@carrallison.com](mailto:hdellasala@carrallison.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of June, 2022, I have served a copy of the above and foregoing on counsel for all parties by:

- Email transmission;
- Facsimile transmission;
- Hand Delivery;
- Placing a copy of same in the United States Mail, properly addressed and first-class postage prepaid to; and/or
- Using the Alafile or CM/ECF system which will send notifications of such to the following:

Kirby D. Farris, Esq.  
Calle Mendenhall, Esq.  
Malia Tarrt, Esq.  
Farris, Riley & Pitt, LLP  
1700 Financial Center  
505 20<sup>th</sup> Street North  
Birmingham, Alabama 35203  
kfarris@frplegal.com  
cmendenhall@frplegal.com  
mtarrt@frplegal.com

/s/ Angel A. Croes  
OF COUNSEL